

**United States District Court
Northern District of Texas
Amarillo Division**

STATE OF TEXAS,

Plaintiff,

v.

ALEJANDRO MAYORKAS, in his official
capacity as Secretary of Homeland
Security, *et al.*,

Defendants.

Case No. 2:22-cv-00094

**TEXAS’S MEMORANDUM IN OPPOSITION TO
DEFENDANTS’ MOTION TO COMPEL DISCOVERY RESPONSES**

On July 12, 2023, Defendants filed a Motion to Compel Discovery Responses. ECF No. 93. Defendants filed their Motion to Compel “in an abundance of caution” given the approaching discovery deadline. *Id.* at 1. The basis of the Motion was to protect Defendants in the event Texas failed to respond to their discovery requests before the deadline. *Id.* at 3–4. On July 28, Texas answered Defendants’ interrogatories and responded to its requests for production and admission. As Defendants explained in their Motion, “the only issue at this point appears to be timing of Texas’s responses and the opportunity to conduct depositions if necessary before discovery closes.” *Id.* at 4. In addition to responding to Defendants’ discovery requests, Texas has agreed to a jointly proposed schedule that allows the Defendants sufficient time to review discovery responses before further proceedings with the case. *See* ECF No. 94.

There is no need for the Court to compel Texas to comply with its discovery obligations because it has done so and will continue to do so. Texas is conferring with State agencies and working with the Defendants to identify proper witnesses and schedules should they decide that they require deposition testimony in addition to the written

discovery. With new counsel involved with the case as of today, Texas will continue to work with Defendants to resolve any outstanding discovery issues.

If Defendants do not decide to withdraw it, Texas respectfully requests that their Motion to Compel be denied.

Date: August 2, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on August 2, 2023, this document was filed through the Court's CM/ECF system, which served it upon all counsel of record.

/s/ Ryan D. Walters
RYAN D. WALTERS